

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
NEW YORK SMSA LIMITED :
PARTNERSHIP d/b/a VERIZON WIRELESS, :
ET AL. :

Plaintiffs, :

- against - :

TOWN OF CLARKSTOWN, NEW YORK :
and the TOWN BOARD of the TOWN OF :
CLARKSTOWN, NEW YORK, :

Defendants. :
:
----- X

07 Civ. 7637 (CLB) (GAY)

CIVIL CASE DISCOVERY PLAN
AND SCHEDULING ORDER

The following Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel for the parties, pursuant to Rules 26(f) and 16 of the Federal Rules of Civil Procedure.

The case **is not** to be tried to a jury.

Joinder of additional parties must be accomplished **within 90 days of the Court's judgment on the dispositive motions discussed in the attached Exhibit 1 (hereinafter "Judgment Date")**.

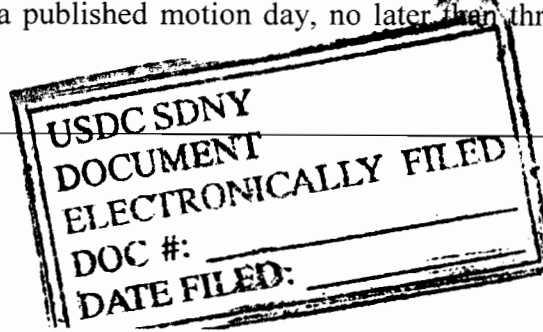
Amended pleadings may be filed **within 90 days of the Judgment Date**.

Discovery:

1. Discovery has been stayed until resolution of the pending cross-motions for summary judgment filed in accordance with the schedule set out in the attached Exhibit 1.
2. As a result of the stay of discovery, no discovery deadlines will be set at this time.
3. In the event that this Court's judgment on the cross motions for summary judgment set out in Exhibit 1 does not resolve all the issues raised in this suit, the Court will revisit the timing of discovery following its judgment.

Dispositive motions, if any, must be served on notice as required by Local Civil Rule 6.1, and must be returnable before the Court on a published motion day, no later than three weeks before the ready for trial date.

Next Case Management Conference _____



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(This date will be set by the Court at the first conference.)

Joint Pretrial Order is required only if counsel for all parties agree that it is desirable, or the Court so orders.

This case has been designated to the Hon. George A. Yanthis, United States Magistrate Judge at White Plains for discovery disputes if the Court is "unavailable."

This Plan and Order may not be changed without leave of the Court or the assigned Magistrate Judge acting under a specific reference order.

SO ORDERED.

Dated: *October 22, 2007*

White Plains, New York



The Hon. Charles L. Brieant
United States District Judge